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October 6, 2023

**Via CM/ECF Only**

Hon. Miroslav Lovric  
US District Court  
Northern District of New York  
Binghamton U.S. Courthouse  
15 Henry St.  
Binghamton, NY 13901

**RE: CNY Fair Housing, Inc., et al. v. Clover Group Inc., et al.  
Case No. 5:21-cv-361-BKS-ML (N.D.N.Y.)**

**\*JOINT STATUS REPORT\***

Dear Judge Lovric:

Our law firm represents the defendants in the above-action. We write to provide the Court with a joint status report on behalf of the parties pursuant to Your Honor's request at the hearing held on August 28, 2023. The directives contained in Text Order (Dkt. 130) are set forth below, immediately followed by the status relating to each:

*(1) all fact discovery, including all documentary discovery and nonexpert depositions, shall be completed by 10/9/2023*

Status: The parties have completed all fact discovery (subject to motions to compel addressed below) and non-expert depositions, with the exception of the deposition of Emily Brady under a 30(b)(6) deposition to defendant Clover Management, Inc. and subpoena for non-party deposition testimony to Clover Management West, Inc. This deposition was commenced on September 26, but did not conclude and was scheduled to continue on October 4. Unfortunately, plaintiffs' counsel experienced unexpected travel delays on another matter held out of town the day prior that precluded completing this deposition as intended on October 4. Counsel has conferred and agreed to complete this deposition on October 12.

*(2) all expert depositions shall be completed by 10/27/2023*

Status: All expert depositions were completed as of September 29, 2023.

October 6, 2023

Page 2

*(3) all dispositive motions shall be filed by 11/20/2023*

Status: On October 3, 2023, the parties filed a joint motion (Dkt. 137) to set a summary judgment briefing schedule and to include the page limits for related memoranda of law.

*(4) any motions to compel discovery shall be filed by 10/16/2023, any responses to such motions to compel shall be filed by 10/23/2023, and an on the record Hearing is scheduled for 10/30/2023 at 2:30 p.m., via Teams teleconference*

Status: Plaintiffs and defendants have been working to narrow the scope of disputed discovery, with each side having supplemented their productions as recently as this week. Nonetheless, each side intends to file a motion to compel discovery by October 16. Plaintiffs also have two pending letter motions to compel (Dkt. 134 and 135), which have been directed by the Court to be heard in-person on October 23 (Dkt. 136).

Respectfully submitted,

DUKE HOLZMAN PHOTIADIS & GRESENS, LLP

*s/Elizabeth A. Kraengel*

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cc: Counsel of Record (via CM/ECF)